IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 24TH JULY 2007 / 2ND SRAVANA 1929

Crl.Rev.Pet.No. 2783 of 2007()

CRA.491/2005 of ADDL.SESSIONS COURT, KOTTAYAM
CC.51/2003 of JUDL. MAGISTRATE OF FIRST CLASS, VAIKOM

.....

REVN. PETITIONER:

P.GOPI, S/O. PATHARI, THEKKEMUNDAKKAL HOUSE,
KALLARA SOUTH PO. VAIKOM, KOTTAYAM

BY ADV. SRI.V.K.SUNIL
SRI.AJEY THOMAS

RESPONDENTS:

1.K.M. SUDARSANAN, S/O.MADHAVAN, ARAKKAPARAMBIL HOUSE,
KALLARA SOUTH P.O. KOTTAYAM

2. STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM

BY PUBLIC PROSECUTOR SRI.K.S. SIVAKUMAR
SRI.DILIP MOHAN

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 24/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

* * * * * * * * * * * * * * * * * * * *

Crl. R.P. NO. 2783 of 2007

* * * * * * * * * * * * * * * * * * * *

Dated, this the 24th day of July 2007

ORDER

The accused in C.C.51 of 2003 on the file of the J.F.C.M.Vaikom for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A 8079 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,

(JUDGE)

ani.